

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Terence D. Myers, #296050,

Plaintiff,

vs.

Head Warden Tim Riley; Associate Warden
Gary Lane; Associate Warden Caldwell; and
Director Bryan Stirling,

Defendants.

C/A No. 5:15-1000-JFA-KDW

ORDER

Terence D. Myers (“Myers”), proceeding pro se and in forma pauperis, filed this 42 U.S.C § 1983 action alleging a violation of his constitutional rights. Defendants moved for summary judgment on August 27, 2015 (ECF No. 24). The matter has been extensively briefed. (*See* ECF Nos. 34, 35, 39).

The Magistrate Judge assigned to this action¹ prepared a Report and Recommendation wherein she recommends that Defendants’ motion be granted and that this action be dismissed. (ECF No. 40). The Report and Recommendation sets forth the relevant facts and standards of law in this matter, and the Court incorporates such without a recitation.

The parties were advised of their right to file objections to the Report and Recommendation, which was entered on the docket on January 6, 2016. However, no objections were filed. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

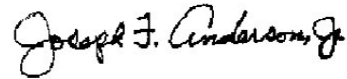
¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this Court finds that the Magistrate Judge's recommendation fairly and accurately summarizes the facts and properly applies the correct principles of law. The Report is incorporated herein by reference in its entirety.

Accordingly, Defendant's Motion for Summary Judgment (ECF No. 24) is **GRANTED** and this action is **DISMISSED**.

IT IS SO ORDERED.

February 25, 2016
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge